

REMARKS

After entry of this Amendment, claims 1-17 and 19-24 will be pending in this application. Claims 19-22 have been withdrawn.

By this Amendment, Applicants propose canceling claim 18 and amending claim 1 to recite that the complaint sheath is “transparent,” as previously recited in claim 18.

In the Office Action dated March 7, 2005, the Examiner rejected claim 18 under 35 § U.S.C. 103(a) as being unpatentable over U.S. patent 5,116,318 to Hillstead, in view of U.S. patent 5,843,089 to Sahatjian or U.S. patent 6,660,034 B1 to Mandrusov. With respect to the limitation in claim 18 that the compliant sheath be “transparent,” the Office Action states:

Regarding claim 18, at the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to modify the sheath of the Hillstead reference because the applicant has not disclosed that using a transparent sheath provides an advantage, is used for a particular purpose, or solves a stated problem.

Office Action, page 3.

With all due respect, the Applicants would like to draw the Examiner’s attention to the paragraph 26 of the Specification, which discusses that the transparent nature of the sheath provides an advantage. That paragraph states:

It is preferable that compliant elastic sheath 3 be relatively transparent to permit radio opaque markings on the non-compliant balloon (not shown) to be seen in order to permit correct positioning of stent 2 prior to crimping over the compliant elastic sheath.

Specification, paragraph 26.

This paragraph refers to an advantage of the transparent nature of the sheath in that it facilitates visualization of markings on the balloon. Markings on the balloon may be used by the

physician in order to determine the position of balloon within the vessel, thereby allowing the physician to know the location of the stent within the vessel, because the stent is crimped on the balloon. As stated in the Specification, the transparent nature of the sheath facilitates visualization of markings on the balloon to make sure the stent is correctly positioned on the balloon relative to those markings prior to crimping of the stent over the sheath.

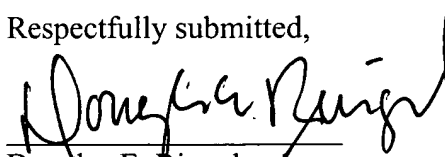
The Applicants respectfully submit that the references of record do not disclose or suggest the invention as now recited in claim 1 (and previously recited in claim 18). Neither Hillstead, Sahatjian, nor Mandrusov discloses or suggests a compliant sheath that is transparent, as claimed by the Applicants.

For the foregoing reasons, the Applicants respectfully submit that the application is now in condition for allowance, and passage to issuance is respectfully requested.

The Commissioner is authorized to charge any fees due under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayments, to deposit account no. 11-0600. Should any questions arise, the Examiner is invited to contact the undersigned at 202-220-4200.

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Respectfully submitted,



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